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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11:
MOTORS LIQUIDATION COMPANY, <i>et al.</i> ,	:	Case No.: 09-50026 (REG)
f/k/a General Motors Corp., <i>et al.</i>	:	
	:	
Debtors.	:	(Jointly Administered)
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STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL

By and through the undersigned counsel, Tina Farmer, Paul Fordham, Momoh Kanu, Ishmael Sesay, and James Tibbs submit this Statement of Issues and Designation of Record on Appeal pursuant to Rule 8009(a) of the Federal Rules of Bankruptcy Procedure with respect to their appeal from appeal under 28 U.S.C. §158(a) (1) and Rules 8001 and 8002 of the Federal Rules of Bankruptcy Procedure to the United States District Court for the Southern District of New York from: *MEMORANDUM OPINION AND ORDER DECIDING CERTAIN 2016 THRESHOLD ISSUES*, entered in the above-referenced case by the United States Bankruptcy Court for the Southern District of New York on July 12, 2017 [Dkt. No. 13992] (ECF No. 13992) (the “Order”),¹ and respectfully state as follows:

STATEMENT OF ISSUES

This appeal addresses the following issues:

- 1) Did the Bankruptcy Court err in holding that Non-Ignition Switch Plaintiffs with economic loss claims relating to used cars manufactured by Old GM are barred from asserting successor liability claims against New GM?

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Order (defined below).

- 2) Did the Bankruptcy Court err in holding that Non-Ignition Switch Plaintiffs who own used cars manufactured by Old GM and who had no relationship with Old GM are barred by the Sale Order to the same extent as the prior owners or original purchasers of the vehicles?

- 3) Did the Bankruptcy Court err in holding that, as part of its “gatekeeper function,” it can preemptively prevent Post-Closing Accident Plaintiffs from seeking punitive damages from New GM based on the conduct of Old GM even if those plaintiffs can demonstrate to the non-bankruptcy trial court that they are future claimants of New GM whose claims are not limited by the Sale Order and that New GM, as a successor to Old GM under applicable law, should be liable for punitive damages?

DESIGNATED ITEMS

1. Order to Show Cause, signed on 12/13/2016, Regarding Certain Issues Arising From Lawsuits With Claims Asserted Against General Motors LLC ("New GM") That Involve Vehicles Manufactured by General Motors Corporation ("Old GM")	12/13/2016	13802
2. Opening Brief by General Motors LLC on the 2016 Threshold Issues Set Forth in the Order to Show Cause, Dated December 13, 2016 (Except for the Late Proof of Claim Issue)	2/27/2017	13865
3. Plaintiffs' Joint Opening Brief on the 2016 Threshold Issues	2/27/2017	13866
4. The <i>Elliott, Sesay</i> and <i>Bledsoe</i> Plaintiffs' Supplemental Opening Brief Regarding the 2016 Threshold Issues	2/27/2017	13861
5. Reply to Motion Reply Brief by General Motors LLC on the 2016 Threshold Issues Set Forth in the Order to Show Cause, Dated December 13, 2016 (Except for the Late Proof of Claim Issue)	4/7/2017	13888
6. Plaintiffs' Joint Reply Brief On The 2016 Threshold Issues	4/7/2017	13889
Transcript Regarding Hearing Held on 4/20/2017	4/27/2017	13907
Transcript Regarding Hearing Held on 5/17/2017	5/19/2017	139437
Memorandum Opinion and Order Deciding Certain 2016 Threshold Issues	7/12/2017	13992
Notice of Appeal by Tina Farmer, Paul Fordham, Momoh Kanu, Ishmael Sesay, and James Tibbs	7/26/2017	14404

DATED: August 9, 2017

Respectfully submitted,

/s/ Gary Peller

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